

Congress of the United States
Washington, DC 20515

January 22, 2020

The Honorable Elaine Chao
Secretary
United States Department of Transportation
1200 New Jersey Avenue, SE
Washington, DC 20590

Dear Secretary Chao:

We urge the Department of Transportation (Department) to promulgate, implement, and enforce the existing regulations that will improve the safety of the millions of people who travel across the United States by motorcoach.

As you may know, there was yet another fatal crash involving a commercial motorcoach traveling from New York City to Cincinnati, Ohio in the early morning hours on Sunday, January 5, 2020. Five people lost their lives including two passengers, a nine-year old from Dayton, Ohio, and a graduate of the Ohio State University's College of Dentistry, the bus driver, and two truck drivers, and over 60 people were injured in this crash. The devastating collision, which also involved two tractor-trailers and a passenger vehicle, shut down a key stretch of the Pennsylvania turnpike. Once again, the families and communities of the victims must now grapple with the pain of recovery.

Unfortunately, crashes involving commercial motorcoaches happen too frequently. Since 1990, there have been nearly 250 motorcoach crashes and fires, resulting in at least 450 deaths and over 4,500 injuries in the United States, based on available media reports. Nearly 13 years ago, we began this effort after a charter bus that was carrying members of Bluffton University's baseball team crashed on Interstate 75 in Atlanta, Georgia, killing seven people on March 2, 2007. In the aftermath of the Bluffton tragedy, we introduced the Motorcoach Enhanced Safety Act, bipartisan, bicameral legislation to improve bus safety. Congress passed the Motorcoach Enhanced Safety Act as a part of Public Law 112-141, the Moving Ahead for Progress in the 21st Century Act (MAP-21).

The Department has taken a number of important steps to improve the safety of the motorcoaches since this became law. For example, we appreciate that the Department finalized a rule to require electronic stability control on most new buses to address the rollover crash avoidance requirement in 2015, but there are still outstanding actions mandated in the Motorcoach Enhanced Safety Act on which the Department must act.

Section 32703(b) of the law mandates that the Department issue final rules on roof strength, anti-ejection safety countermeasures, and rollover crash avoidance on motorcoaches. The Department issued Notices of Proposed Rulemaking for roof strength and anti-ejection safety, however, without any subsequent regulatory action. We strongly urge you to move forward with those two important rules.

In addition, MAP-21 directed the Department to issue a rule requiring seatbelts in motorcoaches. Issued in 2013, the final rule required seatbelts on all new motorcoaches beginning in November 2016. We have long been concerned, however, that this rule excluded older vehicles.

These regulations collectively address some of the major concerns that the Grady Hospital surgeons, who provided care for the Bluffton University victims, specifically highlighted. Their work was complicated by the difficulty of operating on survivors, who are ejected from a motorcoach upon impact.

We urge you to revisit retrofitting older motorcoaches with seatbelts. While the investigation into the Pennsylvania crash is still ongoing, we know that the passengers on this motorcoach did not have seatbelts. Passengers should not have to roll the dice on whether the bus they take to travel across the United States is new enough to have life-saving equipment— all commercial motorcoaches should be equipped with seatbelts.

This past weekend, a motorcoach traveling from New Orleans, Louisiana, to Tuscaloosa, Alabama, caught fire in Mississippi. The motorcoach, carrying college students from the University of Alabama, caught fire after running over an object in the road. Fortunately, there were no injuries in the fire but there was extensive personal property damage. Section 32704 of MAP-21 required the Department to conduct research and testing on fire prevention and mitigation issues. In 2015, the Department completed its study and found that there could be improvements to the fire safety of motorcoaches. It is long overdue for the Department to issues safety fire prevention standards.

Further, the Department completed research required in Section 32705 of MAP-21 on collision avoidance systems, interior impact protection, and compartmentalization safety countermeasures. Unfortunately, the mandated public reports on interior impact protection and compartmentalization safety countermeasures have yet to be issued. We request that you publish all remaining reports from this required study.

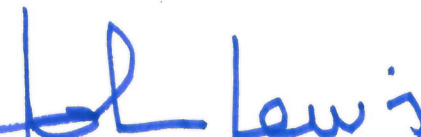
Daily, thousands of people travel across our nation by motorcoach. To protect these individuals, Congress responded and passed legislation to better equip the Department to ensure that safety standards are in place. Time is of the essence. We urge you to revisit the Motorcoach Enhanced Safety Act from MAP-21, finalize the outstanding rules and reports, and use the tools at your disposal to improve the safety of motorcoaches.

Please provide us with a timeline for completing and implementing the outstanding rules and publishing all required reports. These safety standards can and will save lives. We look forward to your prompt response and continuing to engage with you on this gravely important matter.

Sincerely,



Sherrod Brown
United States Senator



John Lewis
United States Representative